

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

RYDEX, LTD.

Plaintiff,

v.

FORD MOTOR COMPANY, *et al.*,

Defendants.

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CIVIL ACTION NO.: 4:11-CV-122

JURY TRIAL DEMANDED

**DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO FILE EXHIBIT P TO
THEIR MOTION FOR RULE 11 SANCTIONS UNDER SEAL**

Defendants Subaru of America, Inc. and Toyota Motor Sales U.S.A., Inc., Nissan North America, Inc., Ford Motor Company and Mazda Motor of America, Inc. d/b/a Mazda North American Operations ("Defendants") file this Motion for Leave to File Exhibit P to their Motion for Rule 11 Sanctions Under Seal. In support of which, Defendants would respectfully show the Court as follows:

Defendants filed a Motion for Rule 11 Sanctions ("Motion") on April 5, 2013. [Dkt. No. 358] The document attached as Exhibit P to the Motion is confidential and was intended to be filed under seal. Defendants seek leave to have Exhibit P to the Motion placed under seal.

Plaintiff and Counter-Defendants Rydex, Ltd. and Michael Ryan ("Plaintiffs") are unopposed to this motion.

PRAYER

Defendants request that they be granted leave to file exhibit P to their Motion for Rule 11 Sanctions under seal, and for such other and further relief to which they may show themselves justly entitled.

Dated: April 8, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CMECF system per local rule CV-5(a)(3) on this the 8th day of April, 2013.

/s/ Eric W. Schweibenz
Eric W. Schweibenz

CERTIFICATE OF CONFERENCE

Counsel for Defendants have conferred with Counsel for Plaintiff regarding the relief requested herein, and Plaintiff is unopposed to such motion.

/s/ Eric W. Schweibenz
Eric W. Schwiebenz